

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Laborers' Pension Trust Fund-Detroit and  
Vicinity, *et al*,

Plaintiffs,

v

Xtra Building Maintenance Services, Inc.

Defendant.

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Case No. 09-10260

Hon. Marianne O. Battani

ORDER ADJUDGING MARY ANDERSON IN CONTEMPT OF COURT  
AND ESTABLISHING PROCEDURE FOR ISSUANCE OF BENCH WARRANT

THIS MATTER having come on to be heard upon application of Craig E. Zucker, one of the attorneys for Plaintiffs, for order to show cause why Mary Anderson should not be held in contempt of court for her failure to comply with this court's Amended Order for Examination of Judgment Debtor and Restraining Transfer of Certain Property Supplementary to Judgment entered on February 17, 2010 (Docket No. 47), which required, *inter alia*, the appearance of Mary Anderson for purposes of a judgment debtor examination and production of certain books and records, a hearing to show cause why this court's order for contempt should be entered having been scheduled for July 6, 2010, Mary Anderson having received notice of hearing as appears from the Certificate of Service filed with this court (Docket No. 52), a hearing having been conducted, the court having considered oral argument, being otherwise fully advised in the premises and finding good cause for entry of this order,

NOW THEREFORE, for the reasons stated on the Court record;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. Mary Anderson is adjudged in contempt of this court for her failure to comply with this court's order of February 17, 2010 [Docket No. 47] by failing to appear for a judgment debtor examination and failing to produce certain books and records.

2. Mary Anderson may purge herself of contempt by completing all of the following:

- i. Contacting Plaintiffs' counsel, Craig E. Zucker, by telephone (248/827-4100) on or before Friday, July 16, 2010 to promptly arrange for a judgment debtor examination to be conducted at the law offices of Erman, Teicher, Miller, Zucker & Freedman, P.C., 400 Galleria Officentre, Suite 444, Southfield, Michigan 48034;
- ii. Appear at said examination on the date and time scheduled in accordance with paragraph 2(i) above, and produce all books and records as set forth in the Amended Order for Examination of Judgment Debtor [Docket No. 47]; and
- iii. Paying costs in the amount of \$195.00 representing the amount of attorney fees and costs incurred by Plaintiffs in furtherance of Defendant's principal officer, Mary Anderson's, non-compliance with the prior orders of this court, in the form of cash or certified or cashier's check made payable to Plaintiffs, Laborers' Pension Trust Fund-Detroit and Vicinity, *et al.* In this regard, this award of costs shall be assessed against Mary Anderson individually, and Plaintiffs shall have full rights of execution hereon with regard to said award of costs. No provision of this paragraph shall impair or modify Plaintiffs' rights of execution with regard to the

judgment entered against Defendant in this proceeding, said rights being fully preserved.

3. In the event Mary Anderson fails to purge herself of contempt by complying with each of the provisions of paragraphs 2(i)-(iii) above, and upon the filing by Plaintiffs of an affidavit of such non-compliance, **this court will, without further application to, or hearing before this court, issue its bench warrant for the immediate arrest of Mary Anderson, requiring bond in the amount of \$500.00, and requiring her immediate appearance before this court.**

4. A copy of this Order shall be served upon Mary Anderson by mailing the same, via first class mail, to her last known address of 8348 Stoneycreek Rd., Ypsilanti, Michigan 48197 and service by the foregoing means shall be complete upon mailing.

DATED: July 8, 2010

s/Marianne O. Battani  
UNITED STATES DISTRICT JUDGE